

UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF NEW YORK

UNITED STATES * DOCKET NO. 11CR5 (SLT)

v. *

VITO CORTESIANO * MARCH 24TH, 2011

MOTION TO MODIFY CONDITIONS OF PRE TRIAL RELEASE

1.

Mr. Cortesiano's conditions of Pre Trial release prohibit him from travelling outside of the Eastern and Southern Districts of New York without prior approval.

2.

Mr. Cortesiano's and his fiancée have had scheduled a trip with Miss Arrigo's parents during the Thanksgiving holidays. It is a trip leaving leaving on November 21st, 2011 on JetBlue from John F. Kennedy International ("JFK") direct to San Juan, Puerto Rico. He is scheduled to return on JetBlue on November 25th, 2011 on a direct flight from San Juan, Puerto Rico to JFK in New York. He and his fiancée, Miss Anna Arrigo, will be staying at the Old San Juan hotel with her parents. At no time will they leave the territorial jurisdiction of the United States or travel to any other District than the District of Puerto Rico.

3.

Mr. Cortesiano has been in constant contact with undersigned, has appeared in court at all scheduled proceedings promptly and has complied with all requests from Pre Trial services. I consulted with his Pre Trial Services Officer, Alfonso Fernandez, and the Assistant United States Attorney representing the government, Mr. Norris, and they do not object to this limited request being granted so long as Mr. Cortesiano does not leave the territorial jurisdiction of the United States or travel to any other district.

4.

Therefore, I am seeking a limited modification allowing Mr. Cortesiano to travel to the District of Puerto Rico as described above from November 21st, 2011 to November 25th, 2011 for Thanksgiving. He will be travelling with Miss Arrigo and her parents and no co-defendants or potential witnesses will be on this trip. Mr. Cortesiano stands innocent of the crimes charged and has pled Not Guilty, thus it is in the interests of justice and equity to allow him to travel on these dates and these dates only.

5.

I have contacted the Assistant United States Attorney and he has no objection to this limited request being

granted. He and I also agree this is a limited request and any other travel and/or modification will be applied for separately.

RESPECTFULLY SUBMITTED,
s/J. Patten Brown, III
J. PATTEN BROWN, III
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CERTIFICATE OF SERVICE

I hereby certify that this Motion to Amend Conditions of Pre Trial Release by J. Patten Brown, III was forwarded electronically via the Court's electronic filing system to all counsel of record this 4th day of October, 2011.

S/J. Patten Brown, III
J. Patten Brown, III
Attorney at Law